



**Request for City Council Committee Action  
From the City Attorney's Office**

Date: November 6, 2012  
To: Ways & Means/Budget Committee  
Referral to:

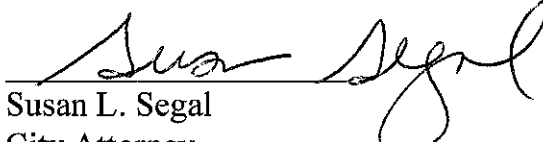
**Subject:** Riley B. Housley, III v. City of Minneapolis

**Recommendation:** That the City Council approve the settlement of this case by payment of \$63,000.00 payable to Riley B. Housley, III and his attorney, R. Donald Hawkinson, from Fund/Org. 06900-1500100-145690 and authorize the City Attorney's Office to execute any documents necessary to effectuate settlement.

**Previous Directives:** None

Prepared by: Thomas J. Miller Phone: (612) 673-2897

Approved by:

  
Susan L. Segal  
City Attorney

Presenter in Committee: Susan L. Segal, City Attorney

**Financial Impact:**(Check those that apply)

☐ No financial impact (If checked, go directly to Background/Supporting Information).

☐ Action requires an appropriation increase to the \_\_\_\_\_ Capital Budget or \_\_\_\_\_ Operating Budget.

☐ Action provides increased revenue for appropriation increase.

☐ Action requires use of contingency or reserves.

☐ Business Plan: \_\_\_\_\_ Action is within the plan. \_\_\_\_\_ Action requires a change to plan.\_

☒ Other financial impact (Explain): \$63,000.00 from Fund/Org. 06900-1500100-145690

☐ Request provided to department's finance contact when provided to the Committee Coordinator.

**Community Impact:** Other

**Background/Supporting Information:**

On February 11, 2011, a City water main ruptured on Lowry Avenue between Second and Third Street Northeast. The street in that area buckled releasing water into the basements of some homes and businesses. The claimant, Riley B. Housley, III, owns the mixed use property located at 204 Lowry Avenue Northeast. The building was flooded in the basement and first floor area.

Following extensive negotiations and a mediation, we have reached a tentative settlement of Mr. Housley's claim against the City in the amount of \$63,000.00. This proposed settlement has been discussed with the Public Works Department and they are in agreement with the terms. We believe that the settlement is in the best interests of the City and recommend approval by this Committee.

TJM / 12-05875